

REMARKS

In the Office Action mailed June 17, 2009 from the United States Patent and Trademark Office, claims 1-8 and 10-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,067,758 to Fann et al. (hereinafter "Fann") in view of U.S. Patent No. 6,584,816 to Lee (hereinafter "Lee") and alternatively as being unpatentable over U.S. Patent No. 6,386,602 to Lan (hereinafter "Lan") in view of Lee, claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Fann and Lee in view of U.S. Patent No. 5,617,749 to Park (hereinafter "Park") and alternatively as being unpatentable over Lan and Lee in view of Park.

Applicants respectfully provide the following:

Claims 1, 2, 8, and 11 are amended. Claim 14 is new.

Rejections under 35 U.S.C. § 103(a):

In the Office Action, claims 1-8 and 10-13 were rejected as being unpatentable over Fann in view of Lee and alternatively over Lan in view of Lee, while claim 9 was rejected as being unpatentable over Fann and Lee in view of Park and alternatively over Lan and Lee in view of Park. M.P.E.P. § 2141 sets forth the *Graham* factual enquiries that should be considered when making an obviousness rejection under Section 103: 1) ascertaining the scope and content of the prior art; 2) ascertaining the differences between the claimed invention and the prior art; and 3) resolving the level of ordinary skill in the pertinent art. (Citing *Graham v. John Deere*, 383 U.S. 1, 148 USPQ 459 (1966).) In addition, M.P.E.P. §§ 2141 and 2142 set forth that "the analysis supporting a rejection under 35 U.S.C. 103 should be made explicit." (Citing *KSR International Co. v. Teleflex Inc. (KSR)*, 550 U.S. ___, 82 USPQ2d 1385 (2007).)

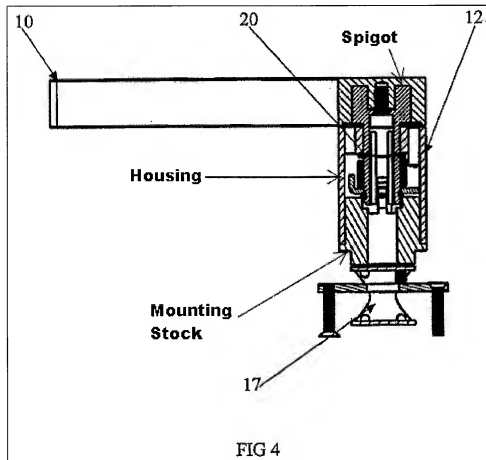
For a rejection under Section 103 to stand, it must explicitly set forth 1) factual findings showing that each claim element was known in the art at the time of the invention, and 2) factual findings showing that one of ordinary skill in the art, at the time of the invention, would have found it obvious to modify or combine the teachings to arrive at the claimed invention. (See, for example, the enumerated required articulations set forth in M.P.E.P. § 2143 for each lettered rationale.)

Applicants respectfully submit that the references in the Office Action, either alone or in combination, do not teach or suggest all the limitations claimed in the claim set provided herein. Applicants also respectfully submit that the Office Action does not show how one of skill in the art would have found it obvious to overcome the differences between the prior art and the claimed invention to arrive at the claimed invention.

Independent claim 1, as amended, requires: "A handle assembly comprising a handle, a handle spigot to which the handle is attached, a biasing member to bias the handle to a naturally closed position, an operating plate which is rotatable by the handle spigot, a mounting stock, and a housing which is engaged at one end to the handle spigot and which can be secured at an opposed end to the mounting stock, the biasing member, operating plate and portions of the mounting stock and the spigot being positioned within the housing once the housing is fitted to the mounting stock, and wherein the handle is secured to the mounting stock through engagement of the housing with the mounting stock."

The invention as claimed provides a handle assembly of which the portion containing the handle can be relatively easily detached from a door to which the handle assembly is secured by detaching a housing from a mounting stock secured to the door. Thus, claim 1 recites, "a housing which is engaged at one end to the handle spigot and which can be secured at an

opposed end to the mounting stock.” This aspect of the claimed invention is illustrated in Figure



4, shown at left, and is not shown nor suggested in the cited references. Therefore, claim 1 is not made obvious by the cited references for at least this reason. Because of the relationship between the

housing and the mounting stock defined in claim 1, the aspects of the cited art references relied upon in rejecting the claims cannot read on the claimed elements of claim 1. For example, in the Office Action, Fann is relied upon as teaching a mounting stock (citing to element 8) and a housing (citing to element 2). However, these elements are not attached correctly in Fann so as to provide the claimed relationship between the elements. Instead, Figure 2 of Fann shows that the elements of Fann cited in the Office Action as corresponding to the claimed spigot (element 12) and mounting stock (element 8) are both located on a same side (to the right in Figure 2) of the element cited as corresponding to the housing (element 2). Therefore, Fann cannot teach the

claim element of "a housing which is engaged at one end to the handle spigot and which can be secured at an opposed end to the mounting stock."

Lan also does not teach such limitation. The Office Action indicates that element 3 (at the location where the 3 is pointing in Figure) of Lan corresponds to the claimed spigot, that element 2 corresponds to the mounting stock, and that element 16 corresponds to the claimed housing. However, Lan teaches that the lever handle (element 3) is directly secured to an end of the driving axial tube (element 2) (Col. 2, lines 55-56). Element 16 is merely a decorative cover, and is not "engaged at one end to the handle spigot" nor can it be "secured at an opposed end to the mounting stock" (if element 2 is the mounting stock). Therefore, Lan also does not teach the elements of claim 1.

Lee is relied upon only as teaching a handle and spigot formed in two pieces, and does not teach the limitations of claim 1 not taught by Fann or Lan. Therefore, claim 1 is not made obvious by either the combinations of Fann and Lee or Lan and Lee for at least these reasons. The remaining rejected claims depend on claim 1 and are allowable for similar reasons. Claim 14 is new and recites similar limitations and is therefore also allowable.

The handle assembly of the presently-claimed invention allows the housing to be secured to the mounting stock in a way so that the handle, which is fitted to the housing, can be relatively easily fitted or detached from the mounting stock. In other words, the handle assembly is not secured to the door through a rose or casing or by securing two casings, positioned on opposite sides of the door, to each other. Rather, the handle is fitted to the door through engagement of the housing to the mounting stock.

Essentially the invention provides a mechanism which allows the assembly to be relatively quickly, when compared to the teachings of Fann, Lan, Lee and Park, engaged to or

disengaged from the door to which the assembly is or is to be mounted. The housing is secured to the mounting stock relatively easily (only one retainer screw need be used to secure the housing to the mounting stock) so that if the handle or any associated component needs to be replaced, the housing can be quickly detached from the mounting stock by removing only the one screw.

Additionally, mounting the associated components (i.e. the biasing member and operating plate) and part of the handle spigot and mounting stock inside the housing, as recited, allows for the assembly to be more compact than, for example, the products of Fann, Lan, Lee and Park. This reduces the appearance of the handle assembly on the door once fitted thereto. The handle assembly therefore provides a "minimalist" look.

The products shown in each of the citations further requires the removal of more than one screw before the handle assembly can be removed. Moreover, none of the citations suggests or alludes to a version which is compact once assembled. In some of the citations, for example Lee, it would simply not be possible due to the complexity of the lock assembly. It is the claimed features recited in claims 1 and 14 that provide such benefits over the cited references.


In light of the above comments, Applicants respectfully request that the application be reconsidered and allowed.

CONCLUSION

Applicants submit that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicants request favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

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Respectfully submitted,



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